

FILED

MAR 2 11 46 AM '10

U.S. DISTRICT COURT JUDGE

DANIEL G. BOGDEN
United States Attorney
KISHAN NAIR
Assistant United States Attorney
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101
(702) 388-6336 / Fax (702) 388-6698

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

-oOo-

UNITED STATES OF AMERICA,)
)
 PLAINTIFF,)
)
 vs)
)
 ROBERT JOHNSON JR.,)
)
 DEFENDANTS.)

Case No. 2:10-mj-00128-LRL

COMPLAINT

- 21 U.S.C. § 841(a)(1), (b)(1)(C)
Possession with Intent to Distribute
Cocaine.

BEFORE the United States Magistrate Judge, Las Vegas, Nevada, the undersigned
complainant, being first duly sworn, deposes and says:

COUNT 1

(Possession with Intent to Distribute Cocaine)

On or about March 1, 2010, in the state and federal district of Nevada, Robert Johnson
Jr. the defendant, did knowingly and intentionally possess with the intent to distribute approximately
88.2 gross grams of a substance containing a detectable amount of cocaine, a Schedule II controlled
substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

Complainant, as a Special Agent with the Drug Enforcement Administration, states the
following as and for probable cause:

1 1. I am a special agent with the DEA and have been so employed as a Special
2 Agent with the United States Drug Enforcement Administration ("DEA") since August 2009 after
3 successful completion of a nineteen week training academy in Quantico, VA. I am currently assigned
4 to the DEA's Las Vegas, Nevada District Office as a member of the Clark County Gang Task Force
5 (CCGTF). The Task Force is currently comprised of narcotics investigators from DEA and the Las
6 Vegas Metropolitan Police Department (LVMPD) I have participated in numerous investigations of
7 individuals and groups involved in the distribution of narcotics. Prior to my employment with DEA
8 I was employed by The Department of Homeland Security as a Federal Air Marshal from 2007-2009.
9 During this assignment your affiant was tasked with detecting, deterring, and defeating hostile acts
10 against the infrastructure of the United States aviation system as well as other modes of mass transit.
11 Prior to employment by The Department of Homeland Security your affiant was employed as a police
12 officer by the City of Fall River, Massachusetts. During my employment from 1999-2007 your affiant
13 held assignments within the patrol division, street crimes division, as well as the vice/intelligence
14 division. I have received specialized training in investigating the manufacturing, distribution and
15 transportation of controlled substances to include, but not limited to, cocaine, marijuana, heroin,
16 MDMA, steroids and methamphetamine. As a result, I am familiar with the methods drug traffickers
17 utilize to conceal, transport, and distribute controlled substances. I have participated in numerous
18 investigations involving the transportation, distribution and trafficking of controlled substances.

19 2. The following is based on my own investigation or was provided to me by other
20 law enforcement officers.

21 3. I have not included every fact known to me concerning this offense. I have set
22 forth only the facts that I believe are essential to establish probable cause.

23 4. In connection with this investigation, I have spoken with and received reports
24 of other law enforcement agents. This affidavit is based upon the results of my own participation in
25 this investigation as well as that of other law enforcement personnel and is just a synopsis of the
26 evidence gathered to date to establish probable cause.

1 5. In February 2010, the CCGTF received information regarding an individual who
2 was distributing cocaine to known gang members in the area of H Street and Owens Avenue, Las
3 Vegas, Nevada. Additional information revealed that an individual utilizing the moniker "Chunky",
4 later identified as Robert Johnson Jr. was specifically distributing narcotics in the "Nucleus Plaza",
5 900 W. Owens Avenue, Las Vegas, Nevada.

6 6. On March 1, 2010, the CCGTF set up surveillance in the vicinity of H Street and
7 Owens Avenue, with specific focus on the "Nucleus Plaza." At approximately 3:30pm Robert
8 Johnson Jr. arrived in the parking lot of the "Nucleus Plaza" driving a 1993 Cadillac Deville, bearing
9 NV Registration 112 VVY. This vehicle was actively registered to Robert Johnson Jr. Johnson Jr.
10 was observed in and around his vehicle conducting numerous hand to hand narcotics transactions with
11 individuals in the parking lot of the "Nucleus Plaza."

12 7. One of the hand to hand narcotics transactions was observed by Special Agent (S/A)
13 Kevin Gillespie. S/A Gillespie observed an unidentified black male wearing a black jacket driving
14 a white Chevrolet Avalanche pull into the parking lot of "Nucleus Plaza" and park the vehicle three
15 cars south of Johnson's vehicle. S/A Gillespie observed Johnson Jr. enter into the passenger side of
16 the white Chevrolet Avalanche and leave the door partially ajar. S/A Gillespie observed Johnson Jr.
17 hand an unidentified object to the driver with his left hand. After approximately three minutes,
18 Johnson Jr. was observed by S/A Gillespie exiting the vehicle and placing an item surreptitiously into
19 his front waist band area. The white, Chevrolet Avalanche drove away from the area and Johnson Jr.
20 and another unidentified male remained seated on a bench in the parking lot.

21 8. On that same date, CCGTF Task Force Officer's (TFO's) Antonio Campanella and
22 Anton Gross were wearing their department issued uniforms while operating a fully marked Las Vegas
23 Metropolitan Police Department cruiser. At approximately 4:00pm, surveillance units observed
24 Johnson Jr. as he entered into his vehicle and drove southbound through the parking lot of the

25 . . .

26 . . .

1 "Nucleus Plaza" and then westbound on Owens Avenue. Johnson failed to utilize his vehicle's left
2 turn signal as he crossed three travel lanes abruptly entering the parking lot of 1061 W. Owens
3 Avenue.

4 9. At approximately 4:10pm, TFO's Campanella and Gross activated the overhead
5 emergency lights and siren effectively stopping Johnson Jr.'s vehicle in the shopping plaza located at
6 1061 W. Owens Avenue.

7 10. TFO Gross approached the driver's side of the vehicle and requested Johnson Jr.'s
8 driver's license and vehicle registration. Johnson Jr. produced the documents without incident. While
9 TFO Gross returned to his marked patrol car, TFO Campanella asked Johnson Jr. if he was a convicted
10 felon, to which he replied, "Yes." TFO Campanella then asked if there were any weapons or narcotics
11 contained within the vehicle. Johnson Jr. stated, "No." TFO Campanella asked for and received
12 verbal consent to search Johnson Jr.'s vehicle. TFO Campanella's attention was immediately drawn
13 to the vehicle's interior headliner noticing that it had been hanging down and secured in a make shift
14 fashion. As TFO Campanella pulled on the cloth material and a clear plastic bag containing numerous
15 individually wrapped packages of suspected cocaine fell to the front seat and floor board. This
16 observation was based on TFO Campanella's training and experience in the area of street level
17 narcotics distribution.

18 11. At approximately 4:30pm, Johnson Jr. was placed under arrest and he along with
19 his 1993 Cadillac Deville were transported to the Las Vegas DEA District Office for processing.
20 Johnson Jr. was advised of his Miranda Rights by TFO Gross, and declared an understanding. He was
21 subsequently interviewed by TFO's Michael Sutton and Antonio Campanella.

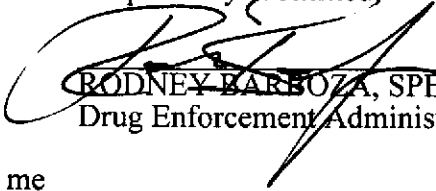
22 12. During the interview of Johnson Jr., TFO Sutton asked, "how much did you have
23 in the plastic bag?" Johnson Jr. replied, "I don't know." TFO Sutton then asked, "how much he would
24 sell each individual bag for?" Johnson Jr. replied, "\$20.00." TFO Sutton informed Johnson Jr. that
25 he had been under surveillance at the "Nucleus Plaza" and surveillance agents witnessed several
26 narcotics transactions initiated by him. TFO Sutton specifically identified a transaction involving

1 Johnson Jr. and the operator of a Chevrolet Avalanche, white, bearing Nevada registration LV1433.
2 Johnson Jr. replied, "That's Willie Nelson! I sold him two packages for \$40.00."

3 13. During the interview TFO Sutton asked Johnson Jr. if he had been previously
4 arrested for narcotics violations. Johnson Jr. stated, "Yes", and that he was on "federal paper." TFO
5 Sutton asked Johnson Jr. if there was anything else in the vehicle. Johnson Jr. replied, "No. You can
6 search it, there's nothing there. With the assistance of Nevada Highway Patrol Trooper Keith Gordon
7 and his K-9 drug detection dog "Popeye" an interior search of the Johnson Jr.'s vehicle commenced.
8 "Popeye" immediately indicated a positive response for narcotics on the driver's side floor board. TFO
9 Gross observed the area of the floor board indicated by "Popeye" and discovered that the carpeting had
10 been loosely secured to the floor and had been tampered with. TFO Gross pulled up the carpeting in
11 the area indicated by "Popeye" and discovered a brown paper lunch bag rolled in cylindrical fashion
12 and taped closed. Upon opening the bag TFO Gross discovered eight individually wrapped plastic
13 bags containing an amount of a white powdered substance, suspected to be cocaine. The total amount
14 of suspected cocaine seized from Johnson Jr.'s vehicle weighed approximately 88.2 gross grams. A
15 DEA/TFO agent conducted a field test on a sample of the cocaine recovered from Johnson Jr.'s
16 vehicle, which resulted in a positive result for the presence of cocaine.

17 14. Upon discovery of the brown paper bag and it's contents TFO Sutton asked
18 Johnson Jr. about the package. Johnson Jr. denied knowledge and/or ownership of the package and
19 it's contents. Robert Johnson Jr. was arrested for Possession with Intent to Distribute Cocaine.

20 Respectfully submitted,

21 
22 RODNEY BARBOZA, SPECIAL AGENT
Drug Enforcement Administration

23 SUBSCRIBED and SWORN to before me
24 this 2nd day of MARCH 2010.

25 
26 UNITED STATES MAGISTRATE JUDGE